S.B.Cr.Misc. Bail App. No. 4234/2007
(Smt. Mohani & Anr. Vs. State of Rajasthan)

Date of order : 25/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. J.R.Beniwal for the petitioners.

Mr. V.R.Mehta Public Prosecutor.

Mr. R.S.Choudhary for the complainant.

Heard learned counsel for the petitioners and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned and challan papers as also dying declaration of the deceased recorded by the Judicial Magistrate No.2, Bikaner wherein she stated that she herself poured the kerosene oil over her and lit the match stick. She also stated that she has been residing separately and her husband was working as laboruer. The petitioners have been residing separately.

Looking to the facts and circumstances of the case and the fact that it was the deceased herself who admitted having poured the kerosene oil over her and lit the match, without commenting on the merit of the case, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Smt. Mohani W/o Shri Arjun

Ram and Madan Lal S/o Shri Arjun Ram be released on bail in FIR No.100/2007 P.S. Taranagar, district Churu, provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP